

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI**

**FEDERAL TRADE COMMISSION,  
et al.,**

**Plaintiffs,**

**v.**

**NEXT-GEN, INC., et al.,**

**Defendants.**

**Case No. 4:18-CV-00128-DGK**

**RECEIVER'S STATUS REPORT**

Eric Johnson, the duly-appointed Receiver in the captioned action and Trustee for the Next-Gen Receivership Trust ("Receiver") submits this status report as to the wind-down of the Receivership and Trust Estates:

1. The Receiver is continuing the wind-down of the receivership and trust estates.

Most recently, the Receiver has accomplished the following:

- a. Completion of the remaining items related to the Cabo San Lucas property except payment of professionals, which will be done as part of the Final Notice. The final fees for the Receiver's accountant and lawyer in Mexico was \$6,682.00.
- b. The Receiver has issued the payment related to the storage and destruction of the non-electronic files in the amount of \$28,879.50. This amount will pay for storage through September 30, 2022 and, if not otherwise claimed, the destruction of such non-electronic files thereafter.
- c. Except with respect to Summit Management and the Trust, 4810 Requests for Prompt Assessment have been sent on behalf of the Receivership entities. The 4810 Request will be filed with respect to the Trust when the final return is filed. With respect to Summit Management, the Trustee anticipates that the 4810 Request will be issued the week of September 13, 2021.

2. The Receiver is continuing addressing the completion of the final items of the wind-down which includes:

- a. Completion of the state law dissolution of the corporate receivership entities including resolution of any remaining state law tax matters. Primarily, the Trustee

will need to obtain and provide certain requested items related to tax clearance by the State of Missouri and some outstanding corporate consents from the former owners with respect to certain of the entities.

- b. Completion of the tasks related to the storage and destruction of the receivership entities' electronic and non-electronic files;
- c. Payment of remaining professional fees/expenses (pursuant to the approved wind-down procedures) and closing remaining bank accounts;
- d. Two consumers had sent a large amount of small denomination bills. The Receiver is coordinating to have such funds converted into a cashier's check and sending the cashier check back to the consumers rather than sending such funds back through the mail;
- e. Sending notice of the receivership wrap-up to consumers who did not forward any funds; and
- f. Wind-up of the Receivership Trust including filing the final estate tax return. The final tax return is primarily finished subject to certain final details being included.

3. The Receiver currently has approximately \$92,468.73 remaining on hand, which the Trustee anticipates being sufficient with respect to paying the outstanding fees and expenses which includes destruction and storage expenses, postage, and receiver and professional fees.

4. The Receiver anticipates filing his Notice of Final Disbursement and Accounting (the "Final Notice") on or before September 30, 2021. To the extent the Final Notice is not filed at that time, the Trustee will file an updated status report to keep the Court and parties apprised as to status of any remaining tasks of the wind-down.

Dated: September 10, 2021

Respectfully submitted,

/s/ Eric L. Johnson, Receiver

Eric L. Johnson, Receiver/Trustee

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 10th day of September 2021, a true and correct copy of the foregoing was filed electronically with the United States District Court for the Western District of Missouri using the CM/ECF system, which sent notification to all parties of interest participating in the CM/ECF system.

/s/ Eric L. Johnson

Receiver